

The Honorable David W. Christel

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

DONALD E. MORISKY,

Plaintiff,

v.

MMAS RESEARCH, LLC, a Washington limited liability company, STEVEN TRUBOW, an individual, POLINA FEILBACH, an individual, RODNEY WATKINS, an individual, DUSTIN MACHI, an individual, MMAS Research Italy S.R.L. an Italian company, and MMAS Research France, SAS a French company,

Defendants.

NO. 2:21-CV-01301-DWC

MOTION AND DECLARATION FOR
LEAVE TO WITHDRAW

TO: The Clerk of the Court,

AND TO: Defendants, Steven Trubow and MMAS RESEARCH, LLC,

AND TO: Plaintiff, DONALD E. MORISKY.

MOTION

Counsel for Defendants hereby appear and request the Court's permission to withdraw as counsel of record for the Defendants herein. This Motion is based on the Declaration of Counsel, Mark L. Lorbiecki, as set forth below, and the Courts records herein.

MOTION AND DECLARATION FOR LEAVE
TO WITHDRAW - 1
(2:21-CV-01301-DWC)

Williams, Kastner & Gibbs PLLC
601 Union Street, Suite 4100
Seattle, Washington 98101-2380
(206) 628-6600

1
2 Dated this 9th day of May, 2022.

3 s/ Mark L. Lorbiecki

4 s/ Theresa Rava

5 s/ Tyler Hermesen

6 Mark L. Lorbiecki, WSBA #16796

7 Theresa Rava, WSBA # 53159

8 Tyler Hermesen, WSBA # 43665

9 WILLIAMS, KASTNER & GIBBS PLLC

10 601 Union Street, Suite 4100

11 Seattle, WA 98101-2380

12 Telephone: (206) 628-6600

13 Email: MLorbiecki@williamskastner.com

14 *Attorneys for Defendants*

15 **DECLARATION OF COUNSEL FOR DEFENDANTS MARK L. LORBIECKI**

16 1. My name is Mark L. Lorbiecki and I am duly licensed to practice law in the state of
17 Washington and am admitted to the U.S. DISTRICT COURT FOR THE WESTERN DISTRICT
18 OF WASHINGTON.

19 2. When originally retained, our client, Steven Trubow, personally, and as Managing
20 Member of MMAS RESEARCH, LLC, agreed that the purpose of the engagement was to present
21 a CR 12(b)(6) motion for dismissal of this case based upon the earlier dismissal with prejudice
22 and a Settlement Agreement. The Retainer Agreement had left the question of further
23 representation to be subject to a further agreement between the parties. The parties have been
24 unable to reach an agreement as to representation beyond that for the CR 12(b)(6) motion and its
25 presentation. Mr. Trubow has indicated that he intends to seek other counsel to represent him
herein.

MOTION AND DECLARATION FOR LEAVE
TO WITHDRAW - 2
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1 3. I have presented this declaration to Mr. Trubow and he concurs that we have not been able
2 to agree on terms for the further representation. Mr. Trubow's current mailing address is 1601
3 Spring Hill Rd, Petaluma CA 94952, and all pleadings in this matter should be directed to him at
4 said address.

5 3. Consequently, I am requesting leave of the Court to withdraw effective May 9, 2022, if
6 possible. Pursuant to W. D. Wash. Local Civ. Rule 83.2 (b)(1) I am including certification below
7 that the Motion herein was served on the client and opposing counsel.
8

9 4. Therefore, I am requesting leave of the Court to withdraw pursuant to W. D. Wash. Local
10 Civ. Rule 83.2. We respectfully request that said Order of Leave for Withdrawal be effective
11 immediately on May 9, 2022 or as soon thereafter as possible.
12

13 4. All further notices, pleadings and correspondence should be directed to Mr. Trubow as set
14 out above.

15 I DECLARE UNDER THE PENALTY OF PERJURY THAT THE FORGOING IS TRUE AND
16 CORRECT TO THE BEST OF MY KNOWLEDGE.

17 Dated this 9th day of May, 2022.

18 s/ Mark L. Lorbiecki
19 Mark L. Lorbiecki, WSBA #16796
20 WILLIAMS, KASTNER & GIBBS PLLC
21 601 Union Street, Suite 4100
22 Seattle, WA 98101-2380
23 Telephone: (206) 628-6600
24 Email: MLorbiecki@williamskastner.com
25

MOTION AND DECLARATION FOR LEAVE
TO WITHDRAW - 3
(2:21-CV-01301-DWC)

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CERTIFICATE OF FILING AND SERVICE

I hereby certify that on the date below, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to those registered with CM/ECF. I also certify that I have sent via email a copy of this Motion and Declaration to Defendants at trubow1@gmail.com.

Dated this 9th day of May, 2022.

/s/Julie Larm-Bazzill
Julie Larm-Bazzill, Legal Assistant

MOTION AND DECLARATION FOR LEAVE
TO WITHDRAW - 4
(2:21-CV-01301-DWC)

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